

**Mediation is an alternative to having the judge decide your case. If you filed for divorce or parentage, you will be sent to mediation. Your Notice Of Hearing will say “Status Conference” or “First Appearance” and mediation.**

**1. Know what you want.**



Before you can settle your case, you need to figure out what it is that you want. This means putting together all of the information you need about property, money and parenting time (if you have children) and bringing it with you to mediation.

**2. Think about what is best for your children.**



Please focus on what your children want and need for success. Their best interests may be far different from what you want. Children thrive with two loving parents having quality time with them. Do what is right for them.

**3. Be realistic.**



Go to a legal clinic, or ask an attorney about divorce/parentage law. Find out the difference between joint and sole legal custody; find out about basic community property rules.

<https://nmcourts.gov/Self-Help/self-help-guide.aspx>

**4. Prepare to compromise.**



Make a list of what you want and categorize them into two columns: “must-haves” and “negotiables.” The mediator might be able to get you thinking about “out-of-the box” solutions which could suit you. Be ready to brainstorm workable solutions. Be honest and do not ignore problems.

**5. Show up on time.**



A mediation usually happens in half-day or full-day time blocks. It cannot begin unless all the parties are present.

6. **Make your best effort to negotiate.**



Do not “yank the other person’s chain.” If you are truly not willing to settle, do not agree to mediate. This will impact your life so put effort into it.

7. **Listen to the information offered by the mediator.**



The mediator is an experienced professional, and likely has “seen it all.” Listen to him or her . Be open to the mediator’s thoughts and concerns.

8. **Keep your word.**

*“It is not fair to ask  
of others what you  
are unwilling to do  
yourself.”*  
Eleanor Roosevelt

If you settle, follow the terms of the settlement agreement and/or parenting plan. You might agree about part of your case, or all of it. The mediator will write down the settlement on the appropriate court forms and ask the parties to sign it. The agreement will become an enforceable court order.

Try mediation! Mediation can help even if you don’t agree on everything. You can reduce your time in court by agreeing to **some** things.